IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 10672 of 2005

Between:

Vedde Balakrishna S/o Hanumanthappa,

Hindu, Cultivation, aged about 25 years, Resident of Veddepalam H/o Malyanur, Kundirpi Mandal, Anantapur District

..... PETITIONER

AND

1. The Mandal Revenue Officer, Kundirpi Mandal,

Anantapur District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondent in trying to cancel patta issued in favour of the petitioner in Sy.No.442-1 ot 442-4, extent Ac.3-77 cents, in Malanur village, Kunjdirpi Mandal, Anantapur District, without issuing notice, without following due process of law, as being illegal, unjust, arbitrary and consequently direct the respondent not to cancel the patta issued in favour of the petitioner in D.Dis.No.50/1412 dated 29-6-2003, extent Ac.3-77 cents in Sy.No.442-1 to 442-4 and pass such other order or orders as this Hon'ble Court deem it fit and proper.

Counsel for the Petitioner: KOTHAPALLI RAM MOHAN CHOWDARY

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORAL ORDER:

This writ petition is filed questioning the proposed action of the respondent in seeking to cancel the patta granted in favour of the petitioner in respect of the land admeasuring Ac.3-77 cents in Sy.No.442-1 to 442-4 in Malayanur village, Kundirpi Mandal, Anantapur District.

It is stated that 'D' Form patta is granted to the petitioner with regard to the very same land, the same is in force and no proceedings are initiated nor any notice is served on the petitioner, for cancellation of the said patta, but there is interference from the respondent in respect of the said land.

Inasmuch as no proceedings are initiated to cancel the patta granted in favour of the petitioner, and the petitioner is entitle to have notice of the same, the respondent cannot interfere with the possession of the said land. However, if there is any proposal to cancel the patta granted to the petitioner, no such order can be passed against him, without notice and opportunity of the hearing to the petitioner.

With the above observations, the writ petition is disposed of at the admission stage.

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29-4-2005

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Mandal Revenue Officer, Kundirpi Mandal,

Anantapur District

2. Two C.Cs. to the G.P. for Revenue, High Court buildings, Hyderabad

3. Two C.D. copies

Note:

Issue C.C in three days.

B/o

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